

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 17747 of 2004

Between:

Konakalla Jagannatha Rao @ Bullaiah, s/o Ganapathy,
r/o Sukarlabad, Machilipatnam, Krishna District.

..... PETITIONER

AND

- 1 Government of Andhra Pradesh, Home Department, Secretariat, Hyderabad rep.,
by its Secretary.
- 2 The Superintendent of Police, Krishna District at Machilipatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ or direction declaring the action of the 2nd respondent in not providing gunman to the petitioner as illegal, arbitrary and violative of Article 21 of the Constitution and consequently direct the 2nd respondent to provide the petitioner gunman forthwith

Counsel for the Petitioner: MR.O.MANOHER REDDY

Counsel for the Respondent No.: GP FOR HOME

The Court made the following :

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Home appearing for the respondents.

The petitioner states that in view of the serious threat being faced to his life from anti-social elements, he made an application as long back as on 20-03-2004 seeking to provide gunmen for his security. It is also stated that on 20-03-2004, there was an attack on the petitioner in which he received grievous injuries and was hospitalized for more than 21 days. Since the representations made by the petitioner have not been considered, he filed this writ petition seeking a declaration that the action of the respondents in not providing gunman to him as illegal and arbitrary.

It is not in dispute that the Government of Andhra Pradesh issued G.O. Rt No.655 dated, prescribing guidelines with regard to providing security. Hence, the respondents ought to have considered the request of the petitioner and pass appropriate orders in the light of the said guidelines.

Accordingly, the writ petition is disposed of with a direction to the respondents to consider the representations of the petitioner and pass appropriate orders in accordance with law in the light of the guide lines issued by the Government of Andhra Pradesh under G.O.Rt No.655 dated 13-03-1997 as expeditiously as possible within a period of one week from the date of receipt of a copy of the order.

01-10-2004

NOTE:-CC by 8/10/2004.

(B/O)

Mjl/*

To

1. Government of Andhra Pradesh, Home Department, Secretariat, Hyderabad rep., by its Secretary.
2. The Superintendent of Police, Krishna District at Machilipatnam.
3. 2 CCs to GP for Home, High Court of A.P. Hyderabad.
4. 2 CD copies.